

### **Remarks**

Claims 1, 3-5, 8-9, 13, and 16-24 are pending.

### **Allowable Subject Matter**

Claims 9, 13, 17 and 18 have been allowed.

### **Amendments to the Claims**

Claims 1, 3, 4, 5 and 8 have been amended to make it more clear that the acts are performed by logic on a printer driver and/or logic on a printer, and not by a human. Claim 19 has been amended to recite that analyzing and identifying are performed by logic on a printer driver and/or logic on a printer. Support for these amendments may be found in the Specification at page 6, lines 5-10 (logic on printer driver) and page 11, lines 3-7 (logic on printer).

### **Rejections Based On Minagawa**

Claims 19-24 were rejected under Section 102(e) as being anticipated by Minagawa 6614550. Claim 5 was rejected under Section 103 as being obvious over Minagawa in view of Fujimoto.

Amended Claim 19 recites a method for executing a print request in which two different characteristics of the print request are analyzed by logic on the printer driver and/or on the printer to identify a print setting. The first characteristic is related to the content of the document to be printed and the second characteristic is unrelated to the content of the document. In Claim 20 depending from Claim 19, for example, the first characteristic comprises one or more of a number of pages in the document, an amount of text data in the document, an amount of image data in the document, a type of text data in the document, and a type of image data in the document, and the second characteristic comprises one or more of an input/output protocol associated with the print request, a type of host device transmitting the request, an application used to generate the print request, a status of a queue for print requests, a time of day of the print request, and a type of media on which the document is to be printed.

Claim 22 recites a computer readable medium having instructions for causing a printing device to perform a method that includes the analyzing and identifying acts noted above.

The Examiner relies on Figs. 9-10 and 14-18 in Minagawa to support the rejection of Claims 19-24.

With regard to Claim 22, the cited figures in Minagawa do not relate in any way to a printer. Indeed, so far as Applicants can tell, Minagawa does not discuss a printer at all. For this reason alone, Minagawa does not support the Section 102 rejection of Claims 22-24.

The figures in Minagawa cited by the Examiner do not teach driver logic (or any other logic) that analyzes characteristics of a print request and then identifies a print setting based on that analysis. Figs. 9-10, 14-15 and 17-18 in Minagawa are user interfaces through which the user performs certain acts. Fig. 16 in Minagawa is a flow chart illustrating the driver logic implementing icon selections made by the user. Even if it is assumed that user selection of icons displayed in Minagawa's UIs might somehow reasonably be deemed an analysis of characteristics of the print request, as claimed, any such analysis is performed by a user, not the driver logic. If the Examiner disagrees, he is respectfully requested to specifically point out *and explain* those passages in Minagawa that teach the claimed logic driven analysis and identification. Absent such a showing, the rejection of Claims 19-24 should be withdrawn.

A similar analysis applies to the Section 103 rejection of Claim 5 which recites (as amended) logic automatically comparing an amount of text data in the document and an amount of image data in the document with a user's prior print setting preference associated with prior documents having a similar amount of text data and image data, and the logic automatically selecting a print setting for the document from the plurality of print settings based on the comparison. As noted above in the discussion of Claims 19-24, to the extent user selection of icons might somehow involve the claimed comparing and selecting, those acts are performed by a user, not program logic on Minagawa's printer driver. For this reason, therefore, amended Claim 5 distinguishes over the combination of Minagawa and Fujimoto.

#### Rejections Based On Shima

Claims 19-24 were rejected under Section 102(e) as being anticipated by Shima 6149323. Claims 1, 8 and 16 were rejected under Section 103 as being obvious over Shima in view of the Fujimoto 6204867. Claims 3 and 4 were rejected under Section 103 as being obvious over Shima in view of the Fujimoto and Minagawa

Claims 19-24. As noted above, amended Claim 19 recites a method for executing a print request in which two different characteristics of the print request are analyzed by logic on the printer driver and/or on the printer to identify a print setting. The first characteristic is related to

the content of the document to be printed and the second characteristic is unrelated to the content of the document. Claim 22 recites a computer readable medium having instructions for causing a printing device to perform a method that includes the analyzing and identifying acts noted above.

With regard to Claim 22, the figures and passages in Shima cited by the Examiner do not relate in any way to computer instructions on a printer. For this reason alone, Shima does not support the Section 102 rejection of Claims 22-24.

Shima teaches saving printer settings apart from but linked to the document printed according to those settings. These settings can thereafter be selected for printing other documents from, for example, a table linking the printer settings and the document. See, for example, Shima column 2, lines 56-65 and column 4, lines 21-25. Nowhere does Shima teach or suggest logic that performs the analyzing and identifying acts recited in Claim 19. Even if it is assumed that the user action of selecting prior/saved print settings to print a current document might somehow be deemed to involve the acts analyzing and identifying, any such analysis and identification is performed by a user, not logic on a printer or printer driver.

The passages in Shima cited by the Examiner are not to the contrary. Shima Fig. 2 and the accompanying text at column 4 does not teach logic analyzing characteristics of a print request. As noted above, column 4 in Shima (describing Fig. 2) teaches saving printer settings apart from but linked to the document printed according to those settings so the settings can thereafter be selected for printing other documents from, for example, a table linking the printer settings and the document. Shima column 2, lines 35-45 merely defines the term "document" to include a text document. This passage says nothing about analyzing a print request. Shima Fig. 3 and column 5, lines 1-40 teaches a user (not driver logic) selecting new "setting values" and, in any event, there is no indication that the new values are identified based on logic analyzing characteristics of a print request, as claimed. Again, if the Examiner disagrees, he is respectfully requested to specifically point out *and explain* those passages in Shima that teach the claimed logic driven analysis and identification. Absent such a showing, the rejection of Claims 19-24 should be withdrawn.

Claims 1, 3, 4, 8 and 16. Applicants acknowledge with appreciation the Examiner's detailed response to Applicants' prior remarks distinguishing Shima. After characterizing

Shima's relevant teaching (which is much the same as Applicants -- see above), the Examiner then states:

"It is also well known in the art that users beforehand knew the type of document (i.e. whether the document is text, graphic, photographic, or etc.) to be printed. By knowing these facts, it is obvious to select a print setting that is most suitable for document to be printed. The purpose of Shima's reference is to use the same print mode to print the next document having similar characteristics as previously printed document, by doing so, it eliminates the needs of having to regenerate a whole new print settings, therefore, reducing times and costs." Office Action page 11.

A user's knowledge and selection, however, is not relevant to the claims, at least not in view of the most recent amendment to those claims. Claim 1 requires logic automatically correlating, and logic automatically comparing, and logic automatically selecting. Even if it is assumed a user performs these acts in Shima, Shima still does not teach logic automatically performing these acts, as claimed.

In addition, nowhere does Shima teach or even suggest correlating the prior print settings to a characteristic of the current document data. Even if it is assumed that the user action of selecting prior/saved print settings to print a current document might somehow be deemed the act of correlating the prior print settings to the current document, Shima still does not teach correlating the prior print settings to a *characteristic* of the current document data. Moreover, Shima also does not teach the further act of comparing any such correlated print setting selections to a characteristic of the document.

The passages in Shima cited by the Examiner are not to the contrary. Shima column 3, lines 17-40 teaches that the content of prior print settings may be displayed along with the names of the documents printed according to those settings to make is easier for the user to select or not select a prior setting to print a current document. There is nothing in this passage that even remotely suggests correlating the prior print settings to a characteristic of the current document.

Shima Fig. 3 and the accompanying text at columns 4-5 teaches the same thing -- a user selecting a prior print setting to print a current document. Again, no correlation is made between any of the prior print settings and a characteristic of the current document nor is any comparison made between the selection made by the user and a characteristic of the current document.

Shima column 7, lines 3-32 teaches the user determining if a printer setting is "acceptable" or "unacceptable" for the current document. Shima, however, does not say what criteria the user could or should use to make this determination. More specifically, Shima does not teach that the user correlates a prior printer setting to a characteristic of the current document or, thereafter, compares any such correlated print setting selection to a characteristic of the current document.

A similar analysis applies to Claim 8. Claim 8 recites comparing the prior print setting selections and associated prior document data to at least one characteristic of the current document and then selecting a print setting for the document based on the comparison. As noted above, there is nothing in Shima that teaches or suggests comparing prior print setting selections to a characteristic of the current document. Further with regard to Claim 8, Shima also does not teach or suggest comparing prior document data associated with the prior print setting selections with a characteristic of the current document.

The combination of Shima and Fujimoto (and Minagawa for Claims 3-4) does not teach or suggest all of the limitations of Claims 1, 3, 4, 8 and 16 and the rejection of those claims and their respective dependent claims should be withdrawn.

The foregoing is believed to be a complete response to the pending Office Action.

Respectfully submitted,

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